

UNITED STATES DISTRICT COURT  
for the  
District of South Carolina

James N Bryant, III,

*Petitioner*

v.

Warden *Lieber Correctional Institution*; Bryan

*Stirling.*

*Respondent*

)  
)  
)  
)  
)

Civil Action No. 1:13-cv-02665-BHH

**JUDGMENT IN A CIVIL ACTION**

The court has ordered that (*check one*):

☐ the petitioner (*name*) \_\_\_\_\_ recover from the respondent (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_ %, plus postjudgment interest at the rate of \_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) \_\_\_\_\_ recover costs from the petitioner (*name*) \_\_\_\_\_.

☒ other: Summary Judgment is entered for the respondents as to Grounds four through nine, Grounds three and ten are dismissed as moot, the petitioner's amended petition is granted as to Grounds one and two, and the death sentence is vacated.

IT IS FURTHER ORDERED/SUGGESTED that a resentencing trial in State court occur within sixty (60) days or as soon as practical thereafter.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Bruce Howe Hendricks, United States District Judge, presiding, accepting in part the Report and Recommendation of the Honorable Shiva V. Hodges, United States Magistrate Judge, granting in part and denying in part Respondents' motion for summary judgment, and granting Petitioner's amended petition in part.

Date: March 20, 2019

ROBIN L. BLUME, CLERK OF COURT

s/L. Baker

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*Signature of Clerk or Deputy Clerk*